



FORM PTO-13	90 U.S. DEPAR	IMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER						
(REV (0-96)	RANSMITTAL LETTER	990667/RSB							
	DESIGNATED/ELECT	U.S. APPLICATION NO. (If lessown, see 37 CFR 1.5)							
(	CONCERNING A FILIN	09/403,940							
	ATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED						
	DE98/01172	28 April 1998	29 April 1997						
TITLE OF INVENTION: DEVICE FOR DETERMINING FLUCTUATIONS IN END EXPIRATORY GASES, METHOD FOR DETERMINING FLUCTUATIONS IN RESPIRATORY METABOLISM AND THE USE OF SAID DEVICE									
APPLICANT(S) FOR DO/EO/US LUdwig WILDT; Peter LICHT; Matthias MICHEL									
Applicant	herewith submits to the United States	Designated/Elected Office (DO/EO/US) the follow	wing items and other information:						
ı. $\square$	This is a FTRST submission of items concerning a filing under 35 U.S.C. 371.								
2. 😧	This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.								
3.	This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).								
4.	A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.								
5.	A copy of the International Application as filed (35 U.S.C. 371(c)(2))								
	a. is transmitted herewith (required only if not transmitted by the International Bureau).								
	b. has been transmitted by the International Bureau.								
	c. is not required, as the application was filed in the United States Receiving Office (RO/US).								
6. 🔲		Application into English (35 U.S.C. 371(c)(2)							
7.		International Application under PCT Article							
		(required only if not transmitted by the Intern	national Bu <del>re</del> au).						
		y the International Bureau.							
. *5-		wever, the time limit for making such amendn	nents has NOT expired.						
	d. have not been made and								
8.	A translation of the amendments	to the claims under PCT Article 19 (35 U.S.C.	. 371(c)(3)).						
9. 🔯	An oath or declaration of the inve								
10.	A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).								
Items 1	.I. to 16. below concern documer								
ii. 🔲	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.								
12. X	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.								
13. 🔲	A FIRST preliminary amendment.								
	A SECOND or SUBSEQUENT preliminary amendment.								
14.	A substitute specification.		·						
15.	A change of power of attorney at	nd/or address letter.	CERTIFICATE OF MAILING						
16. 🔀		ated STATEMENT ENTITY, a copy of I on December 27, 1999	I hereby certify this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date noted below.						
01/18/2000 PUOLPE 00000083 09403940.									
01 FC:254		P	Attorney: Richard S. Barth Dated: January 10, 2000						
			Dated: January 10, 2000						

09×403,940	(CRU)	NTERNATIONAL APPLICATION NO	42\	ATTOMNEY'S DO	CKET MIRABER			
F		PCT/DE98/01172		99066	//RSB			
	llowing fees are subfainted:			CALCULATION	S FTO USE ONLY			
	AL FEE ( 37 CFR 1.492 (a							
1		EPO or IPO	\$840.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482)								
\$670.00								
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))								
Neither inter international	mational preliminary exami I search fee (37 CFR 1.445()	nation fee (37 CFR 1.482) nor a)(2)) paid to USPTO						
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)								
	ENTER APPROF	PRIATE BASIC FEE AM		S				
Surcharge of \$130 months from the	0.00 for furnishing the oath carliest claimed priority date	or declaration later than 20 (37 CFR 1.492(e)).	30	S	<del>                                     </del>			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	130.00	<u> </u>			
Total claims	-20 =	TOTAL EXTRA			<del></del>			
Independent claims	-3 =		X 18.00	S				
MULTIPLE DEPE	NDENT CLAIM(S) (if applic	ible)	78.00	S				
		OF ABOVE CALCULAT	+ 260.00	S				
Deduction of LO				S	<u> </u>			
must also by filed	(Note 37 CFR 1.9, 1.27, 1.2	applicable. Verified Small Enti 28).	ty Statement	<b>s</b> 65.00				
		SUBT	OTAL =	<b>s</b> 65.00	İ			
Processing fee of 3 months from the e	\$130.00 for furnishing the Earliest claimed priority date	inglish translation later than (37 CFR 1.492(f)).		S				
	<del></del>	TOTAL NATIONA						
See for recording	the replaced series are (27			<b>s</b> 65.00				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheer (37 CFR 3.28, 3.31). \$40.00 per property +								
,		S						
				Amount to be: refunded	S			
	<del></del>			charged	3			
a. X A check in the amount of \$ 65.00 to cover the above fees is enclosed.								
b. Please charge my Deposit Account No in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.								
c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1378. A duplicate copy of this sheet is enclosed.								
	·							
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.								
A the same and Pranted to restore the abbitterious in bending 20103.								
SEND ALL CORRESPONDENCE TO:								
FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C. SIGNATURE								
767 Third Avenue - 25th Floor New York, NY 10017-2023 Richard S. Barth								
	(212) 319-4900		NAME 28.	,180				
	(212) 319 <del>-4</del> 900 (212) 319-5101				·•			
	-		REGISTRA	TON NUMBER				
Daca: Ja	nuary 10, 2000							